

Message Text

CONFIDENTIAL

PAGE 01 KUWAIT 03915 171238Z

53

ACTION DLOS-06

INFO OCT-01 NEA-10 IO-13 ISO-00 AF-08 ARA-06 EA-07 EUR-12

FEA-01 ACDA-07 AGR-05 AID-05 CEA-01 CEQ-01 CG-00

CIAE-00 CIEP-01 COME-00 DODE-00 DOTE-00 EB-07 EPA-01

ERDA-05 FMC-01 TRSE-00 H-02 INR-07 INT-05 JUSE-00

L-03 NSAE-00 NSC-05 NSF-01 OES-06 OMB-01 PA-01 PM-04

PRS-01 SP-02 SS-15 USIA-06 SAL-01 /158 W

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R 171210Z AUG 76

FM AMEMBASSY KUWAIT

TO SECSTATE WASHDC 6007

INFO USMISSION USUN NEW YORK

C O N F I D E N T I A L KUWAIT 3915

E.O. 11652: GDS

TAGS: PLOS, KU

SUBJ: KUWAITI POSITIONS ON SELECTED LOS ISSUES

REF: (A) STATE 189282, (B) STATE 187929, (C) KUWAIT 1295

(D) KUWAIT 3898 (NOTAL).

1. EMBOFFS TOOK OCCASION OF INTRODUCTORY CALL AUGUST 16 ON DIRECTOR OF FONMIN LEGAL DEPARTMENT, RUZOUQI, TO SOLICIT HIS VIEWS ON SELECTED LOS ISSUES, RESOLUTION OF WHICH REF A CITED AS PARTICULARLY CRUCIAL TO SUCCESSFUL LOS NEGOTIATIONS, AND TO MAKE CLEAR US POSITION ON ECONOMIC ZONE AS PART OF HIGH SEAS (REF B). (REF C CONTAINS ADDITIONAL GOK VIEWS ON LOS ISSUES.)

2. REVISED SINGLE NEGOTIATING TEXT. RUZOUQI GAVE NO FIRM ANSWER TO EMBOFF QUESTION WHETHER REVISED TEXT WAS IMPROVEMENT OVER PREVIOUS. HE SAID THAT NUMBER OF ISSUES INVOLVED IN TEXT AND PRESSURES ON KUWAIT AS MEMBER OF THREE
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PAGE 02 KUWAIT 03915 171238Z

LOS NEGOTIATING GROUPS--PERSIAN GULF STATES, ARAB STATES,

AND GROUP OF 77--WERE SO VARIED THAT KUWAIT SIMPLY SEEKING TO ACT IN ACCORD WITH CONSENSUS OF LIKE-MINDED GOVERNMENTS.

3. ENTERPRISE MONOPOLY. RUZOUQI INDICATED THAT PROPOSAL TO GIVE NATION STATES AND ENTERPRISE 50-50 SPLIT IN EXPLOITING SEABED MINERAL RESOURCES SEEMED REASONABLE TO GOK.

4. COMPULSORY DISPUTE SETTLEMENT. RUZOUQI INDICATED THAT, IN PRINCIPLE, GOK FAVORS COMPULSORY SETTLEMENT SINCE LOS TREATY WOULD BE "JUST A PIECE OF PAPER" WITHOUT REALISTIC PROCEDURE FOR PEACEFUL RESOLUTION OF DIFFERENCES. HE ALSO SEEMED TO BELIEVE THAT COMPULSORY SETTLEMENT SHOULD APPLY TO DISPUTES INVOLVING ECONOMIC ZONE, BUT HE DID NOT EXPRESS CLEAR VIEW ON APPLICATION TO MARINE SCIENTIFIC RESEARCH, INDICATING THAT HE EXPECTED A "REPORT" ON THIS ISSUE FROM GOK DELEGATION AT NEW YORK CONFERENCE.

5. RUZOUQI EXPRESSED PUZZLEMENT OVER USG SENSE OF URGENCY (APPARENT IN SECRETARY KISSINGER'S STATEMENTS) IN BRINGING LOS NEGOTIATIONS TO CONCLUSION, SINCE, IN HIS VIEW, STEADY PROGRESS HAD BEEN MADE DURING PREVIOUS CONFERENCES. EMBOFF REPLIED THAT DELAY IN ASQIEVING AGREEMENT BOTH TEMPTS NATIONS GROWING IMPATIENT WITH PACE OF CONFERENCE TO MAKE UNILATERAL SEA CLAIMS, THUS CREATING POTENTIAL FOR CONFLICT, AND POSTPONES OPPORTUNITIES TO SETTLE CURRENT DISPUTES OVER EXPLOITATION OF O AAN RESOURCES.

6. RUZOUQI SEEMED TO HAVE NO PRIOR KNOWLEDGE OF INCORRECT PRESS REPORT ON US POSITION ON ECONOMIC ZONE (REF B). HE STATED THAT GOK SHARES USG POSITION THAT ECONOMIC ZONE SHOULD HAVE CHARACTER OF HIGH SEAS.

7. COMMENT: RUZOUQI IS LEADING GOK LOS EXPERT RESIDING IN KUWAIT; TWO MEMBERS OF HIS DEPARTMENT ARE NOW SERVING ON GOK DELEGATION AT LOS CONFERENCE. RUZOUQI NOTED THAT OTHER DUTIES (IN EUROPE) HAD PREVENTED HIS ATTENDANCE AT CURRENT NEW YORK LOS CONFERENCE AND HAD DELAYED HIS RETURN TO KUWAIT UNTIL AUGUST 14. RUZOUQI'S CONTINUED ABSENCE FROM NEW YORK CONFERENCE AT THIS STAGE IN LOS NEGOTIATIONS IS SOMEWHAT PUZZLING, SINCE HE CONFIRMED THAT HE IS GOK CONFIDENTIAL

CONFIDENTIAL

PAGE 03 KUWAIT 03915 171238Z

OFFICIAL WITH GREATEST CONTINUITY OF EXPERIENCE WITH LOS MATTERS. IT MAY BE THAT FORTHCOMING KUWAITI INITIATIVE ON PERSIAN GULF SECURITY (AT GULF FONMIN CONFERENCE IN OMAN AUGUST 21) WILL CALL FOR HIS LOS EXPERTISE. GULF AND STRAIT OF HORMUZ NAVIGATION ISSUES APPARENTLY WILL BE DISCUSSED AT THAT CONFERENCE (REF D).
MAESTRONE

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